Writ petition No. 758 (S/B) /2001

Harish Chandra Singh Rautela …….. Petitioner

Versus

State of Uttaranchal
Through Principal Secretary
and Commissioner, Forest and
Rural Development, Government
of Uttaranchal and others …… Respondents
…….

Hon.A.A.Desai, C.J.
Hon. M.C.Jain,J.

The petitioner was initially Lecturer in Chemistry in Government Inter College, Chafi, Nainital. He was sent on deputation to District Handicap and Welfare Department. At present he is working as District Backward Class Welfare Officer, Nainital. The post in the foreign department was carrying higher pay scale of Rs. 6500-10500. This assignment was on deputation for a fixed tenure. By the impugned order, the petitioner is brought back to his parent department.

The grievance of Mr. S.N.Babulkar, learned counsel for the petitioner, is that owing to repatriation, he is posted on a scale lower than applicable to him in the foreign department. Therefore, precisely his submission is that this constitutes reversion. The submission is mis-conceived. The petitioner in terms of the earlier order is brought back to his substantive post which carries the pay scale of Rs.5000-8000/-.

Another submission of Mr. Babulkar is that no opportunity was given. The impugned action does not entail any punishment. As such, the petitioner was not entitled to any opportunity. We do not see any merit in the petition.

The petition is, therefore, dismissed.

(A.A.Desai, C.J.) **(M.C. Jain,J.)**

Dt. 14.06.2001
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